

VZCZCXRO2698
OO RUEHCHI RUEHCN RUEHDT RUEHHM
DE RUEHJA #1240/01 1771001
ZNY CCCCC ZZH
O 251001Z JUN 08
FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC IMMEDIATE 9382
INFO RUEHNS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEHAM/AMEMBASSY AMMAN 0277
RUEHBJ/AMEMBASSY BEIJING 5157
RUEHBO/AMEMBASSY BOGOTA 0106
RUEHBY/AMEMBASSY CANBERRA 2680
RUEHLM/AMEMBASSY COLOMBO 1073
RUEHIL/AMEMBASSY ISLAMABAD 0485
RUEHME/AMEMBASSY MEXICO 0077
RUEHPB/AMEMBASSY PORT MORESBY 3856
RUEHKO/AMEMBASSY TOKYO 2137
RUEHWL/AMEMBASSY WELLINGTON 2777
RUEHBA/AMCONSUL PERTH 0909
RUEHHK/AMCONSUL HONG KONG 2763
RHHJJPI/PACOM IDHS HONOLULU HI
RUEKJCS/SECDEF WASHDC
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 03 JAKARTA 001240

SIPDIS

DEPARTMENT FOR D, P, EAP, EAP/MTS, EAP/MLS, DRL, DRL/AWH;
G/TIP
NSC FOR EPHU
DOJ FOR AGO MUKASEY; DAAG SWARTZ

E.O. 12958: DECL: 06/25/2018
TAGS: [PREL](#) [PGOV](#) [PHUM](#) [MAAR](#) [ID](#)
SUBJECT: LEAHY VETTING -- MISSION REQUESTS REVIEW OF
PROPOSED CHANGES

JAKARTA 00001240 001.2 OF 003

Classified By: Ambassador Cameron R. Hume, for reasons 1.4 (b+d).

11. (C) This is an Action Request. Please see Para 10.

12. (C) SUMMARY: Recently proposed changes to the Leahy human rights vetting process risk undermining U.S.-Indonesia security cooperation and, ironically, contradict the law's intent to promote human rights. The Secretary's 2005 decision to resume security assistance to Indonesia has generated valuable cooperation, including in peacekeeping (Lebanon and Darfur), counterterrorism and regional security. President Bush told President Yudhoyono in June 2007 in Sydney that he wanted to enhance our security relationship and increase mil-mil cooperation.

13. (C) SUMMARY (CON'D): The Department's new vetting requirements would, if finalized, undermine both the Secretary's policy decision and the President's intention. Embassy Jakarta intends to continue to seek opportunities to expand mil-mil and police cooperation to implement these policy directives, but is seriously constrained by these vetting changes. We request high-level inter-agency review of this expansion of vetting requirements before any new policy is instituted. END SUMMARY.

NEGATIVE IMPACT OF PROPOSED CHANGES

14. (C) The two proposed changes to the vetting process would:

-- prohibit training of any member of a security force unit with past human rights violations, even if the unit's violations pre-dated (by many years) the arrival of the individual in the unit; and

-- require, for the first time, the vetting of every individual in a composite unit, rather than vetting the unit commander only; this change would overload the vetting process and effectively block much police and military training.

15. (C) For years, Mission has practiced a diligent and intrusive vetting process that has kept human rights abusers from receiving USG assistance, thereby accomplishing Leahy vetting goals. Prior to these recent changes, the Department had never, to the best of our knowledge, 'vetted out' any Indonesian that the Mission had recommended for training. These recent changes to the Department's vetting policy are creeping in without wide clearances in the Department or front-channel notification to posts. Such sweeping changes would affect security assistance programs in many parts of the world and, Mission believes, require high level inter-agency discussion.

16. (C) Not once has an Indonesian security official trained by the USG and vetted by the Embassy using long-standing Leahy criteria later been credibly alleged to have committed gross human rights violations, which is the Leahy vetting standard. The system here has worked, both to honor the human rights intent of the vetting requirement and to allow our security cooperation to proceed. If we cannot fully engage with Indonesian security forces, we cannot fully train the police and military units who would respond to terrorist attacks in Indonesia and protect our Embassy. The Indonesian contribution to the UNIFIL peacekeeping operation would not have been possible; Indonesian police participation in Darfur PKO would also be jeopardized.

JAKARTA 00001240 002.2 OF 003

THE VALUE OF ENGAGEMENT

17. (C) With Indonesia's democratic and security sector reforms since 1999, there is no longer a trade off between our security interests and human rights values in our security assistance program here. Our assistance advances both goals simultaneously. Our engagement and security cooperation with security forces here since 2005 have produced results, both in terms of operational improvements and professionalization, as well as human rights practices. Training has resulted in increased anti-trafficking efforts, fewer abuses by police in controlling crowds, a four-fold increase in disciplinary actions taken by police for ethics and other violations, and senior military officers being denied promotion into key positions because of their past human rights records. The International Committee of the Red Cross (ICRC) and Indonesia's National Human Rights Commission both advocate human rights training for security forces and provide such training themselves, including for the Army Special Forces (Kopassus) and the police Mobile Brigade. These security forces advance vital U.S. interests by assisting in peacekeeping operations (PKOs), protecting U.S. facilities and citizens in Indonesia, and fighting terrorism and human trafficking.

18. (C) Institution of these two changes to the vetting process would seriously damage our police and military training programs. Our INL-funded and, to a lesser extent, DS/ATA-funded training of the Indonesian police would be paralyzed. For INL programs in 2008, we have trained 1,172 police officers using composite units. Requiring each individual to be vetted for a composite unit training exercise would have increased the number of individuals submitted for vetting by over 1,000 in the last six months, overloading the vetting system here and in Washington and bringing this crucial training to a virtual halt. These INL programs include not only human rights training, e.g., an international standard 'use of force' policy, but also capacity-building programs in anti-human trafficking, anti-illegal logging and other areas critical to U.S. interests here.

¶9. (C) On the military side, the story is similar. Our IMET and other training programs are designed to build professionalism within the Indonesian military. There are explicit human rights training programs, as well as training for peacekeeping operations and disaster relief/emergency response that would be damaged by the new vetting requirements. Indonesian participation in UNIFIL--for which we transported 850 Indonesian soldiers in a composite unit--would not have been possible if we had been required to vet each and every soldier. The Indonesian troops would simply have not been able to participate, despite the fact that Washington weighed in actively with all capitals concerned to get the Indonesians there. On disaster relief as well, our assistance is used to train first responders, emergency management officials and civil affairs officers, all essential for the GOI's response to a natural or man-made disaster here--and there are many. Mission recently received instructions to deny vetting to a military officer who literally was not even born when his unit was reportedly involved in human rights violations. How can we explain to him and others like him that we value Indonesia as a strategic partner and support Indonesia's desire for a more active international role? U.S. action, such as this, undermines our stated and actual policy toward Indonesia in fundamental ways. These vetting changes need serious high-level, inter-agency attention.

JAKARTA 00001240 003.2 OF 003

ACTION REQUEST

¶10. (C) We request a high-level inter-agency review of this proposed expansion of vetting requirements before any new policy is instituted. Meanwhile, we request that the two new interpretations of vetting proceedings cited above be suspended until this matter can be fully discussed and the results of this policy discussion shared with posts via official channels. Specifically and most urgently, we ask that the vetting request for composite units of police slated for training in the immediate future in the fields of anti-trafficking, management systems, and public relations (per Jakarta 1073, 1075 and 1077) be acted on immediately based on vetting of the unit commanders, so that we are not forced to cancel these important opportunities.

HUME

HUME